

REMARKS

In the decision rendered by the Board on January 22, 2009 and notified on January 26, 2009, claims 2-7, 9-13 and 14-20 were rejected on new grounds of rejection. In particular, claim 14 was rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over U.S. Patent Application No. US 2002/0043926 A1 (“Takahashi et al.”).

On March 23, 2009, a telephone interview between the undersigned attorney and Examiner Natalie K. Walford was conducted. In the telephone interview, a claim amendment incorporating claim 2 into claim 1 and adding the limitation of the substrate being doped was discussed. No agreement was reached.

In response to the decision rendered by the Board, Applicant has amended the independent claims 1, 8 and 14 to more clearly distinguish the claimed invention from the cited reference of Takahashi et al. As a result, claims 2 and 10 have been amended. As amended, Applicant respectfully asserts that the independent claims 1, 8 and 14 are not obvious over Takahashi et al. Thus, Applicant respectfully requests that the amended independent claims 1, 8 and 14, as well as the dependent claims 2-7, 9-13 and 15-20, be allowed.

A. Patentability of Amended Independent Claims 1, 8 and 14

As amended, the independent claim 1 recites in part “*wherein said fluorescent layer is a substrate of said light source, said substrate being doped with one or more impurities to have a fluorescent property,*” which is not disclosed in Takahashi et al. Thus, Applicant respectfully asserts that the amended independent claim 1 is not obvious over Takahashi et al. As such, Applicant respectfully requests that the amended independent claim 1 be allowed.

As noted on page 8 of the decision by the Board, the cited reference of Takahashi et al. discloses a light-emitting device 10 having a fluorescent layer 37 on the bottom of a substrate 11. Thus, the substrate 11 is not a “*fluorescent layer,*” as recited in the amended independent claim 1. In addition, the cited reference of

Takahashi et al. does not disclose that the substrate 11 is “*doped with one or more impurities to have a fluorescent property,*” as recited in the amended independent claim 1. Thus, Applicant respectfully asserts that the amended independent claim 1 is not obvious over Takahashi et al., and requests that the amended independent claim 1 be allowed.

The above remarks are also applicable to the amended independent claims 8 and 14, which recite limitations similar to those of the amended independent claim 1. Thus, Applicant respectfully asserts that the amended independent claims 8 and 14 are also not obvious over Takahashi et al. As such, Applicant respectfully requests that these amended independent claims 8 and 14 be allowed as well.

B. Patentability of Dependent Claims 2-7, 9-13 and 15-20

Each of the dependent claims 2-7, 9-13 and 15-20 depends on one of the amended independent claims 1, 8 and 14. As such, these dependent claims include all the limitations of their respective base claims. Therefore, Applicant submits that these dependent claims are allowable for at least the same reasons as their respective base claims.

Applicant respectfully requests reconsideration of the claims in view of the remarks made herein. A notice of allowance is earnestly solicited.

Respectfully submitted,

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